REMARKS

These Remarks are in reply to the non-final Office Action mailed August 30, 2005. No claims are hereby amended, added or canceled, such that claims 1-20 remain pending.

Rejection under 35 U.S.C. § 102

Claims 1-9, 11-18 and 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,835,302 to Funches et al. (hereinafter "Funches").

Claim 1 as filed recites a method comprising "measuring a plurality of distances successively traveled by [a] control object." The Office contends on page 2 of the Office action that Funches discloses this measuring step, and in particular points to col. 9, lines 33-36 of Funches. However, an examination of the indicated text makes it clear that Funches does not in fact disclose measuring a plurality of distances traveled. What Funches does is to fine-tune control signal based upon various positions of the actuator, and makes no mention whatsoever of measuring distances traveled by the actuator. As such, Funches cannot be reasonably construed as measuring distances traveled by a control object as required by claim 1. For at least this reason, Funches does not show each and every element of claim 1 and therefore cannot reasonably be said to anticipate claim 1. Allowance of claim 1 is respectfully requested.

Claims 2-9 depend from claim 1 and are allowable for at least this reason.

Claim 11 as filed recites an apparatus comprising "a compensation circuit which measures a plurality of distances successively traveled by a control object." For reasons set forth above with respect to the rejection of claim 1, Funches cannot reasonably be construed as disclosing any element that measures distances traveled by a control object as required by claim 11. For at least this reason, Funches does not show each and every element of claim 11 and therefore cannot reasonably be said to anticipate claim 11. Allowance of claim 11 is respectfully requested.

Claims 12-19 depend from claim 11 and are allowable for at least this reason.

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Claim 20 as filed recites "means for determining a compensation value to compensate for variation in motor torque in relation to a plurality of measured distances successfully traveled by the control object." For reasons set forth above with respect to the rejection of claim 1, Funches cannot reasonably be construed as measuring distances traveled by a control object, and therefore cannot possibly disclose means for determining a compensation value to compensate for variation in motor torque in relation to such measured distances as required by claim 20. For at least this reason, Funches does not show each and every element of claim 20 and therefore cannot reasonably be said to anticipate claim 20. Allowance of claim 20 is respectfully requested.

Claims 12-19 depend from claim 11 and are allowable for at least this reason.

Rejection under 35 U.S.C. § 103

Claims 10 and 19 were rejected under 35 U.S.C. § 103(a) as being obvious over Funches in view of U.S. Patent 5,864,650 to Kadlec et al.

Claims 10 and 19 depend from allowable claims 1 and 11, respectively, and are allowable for at least this reason.
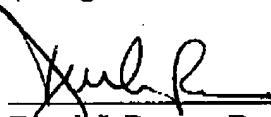
Conclusion

For reasons set forth above, Applicant respectfully asserts that present claims particularly point out and distinctly claim the subject matter which is regarded as the invention. In addition, the present invention as claimed is not taught by the prior art of record or any combination thereof. Therefore, it is respectfully submitted that the pending claims are in condition for allowance, and favorable action with respect to the present application is respectfully requested.

If the Examiner is not satisfied, but minor changes would apparently put the present case in condition for allowance, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

Seagate Technology LLC
(Assignee of the Entire Interest)

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Date

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